

term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

“(b) FEDERAL PREEMPTION.—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food or seed in interstate commerce any requirement relating to the labeling of whether a food (including food served in a restaurant or similar establishment) or seed is genetically engineered (which shall include such other similar terms as determined by the Secretary of Agriculture) or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using genetic engineering.”.

#### NATIONAL SPEECH AND DEBATE EDUCATION DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 398, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 398) designating March 15, 2016, as “National Speech and Debate Education Day”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 398) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the majority leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, Public Law 107–228, and Public Law 112–75, appoints the following individual to the United States Commission on International Religious Freedom: Ambassador Jackie Wolcott of Virginia.

#### ORDERS FOR TUESDAY, MARCH 15, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, March 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following

leader remarks, the Senate be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that the Senate stand in recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, at 2:15 p.m., the Senate then resume consideration of the message to accompany S. 764.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator MERKLEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

#### GENETICALLY MODIFIED FOOD

Mr. MERKLEY. Mr. President, I rise to address the motion that is on the floor right now, which is a motion to adopt an amendment that is essentially a new version of the Monsanto DARK Act. Now, DARK is an acronym that stands for “Denying Americans the Right to Know.” This is, by the way, an amendment that has not been seen in any committee in the Senate ever.

We heard a lot of discussion about how we were going to have a process in this Chamber where things would be in the ordinary fashion—go through the committee so it could be digested and analyzed—but instead this amendment is to an underlying bill that has been ping-ponging back and forth between the House and Senate. This legislation has never been heard in committee. It was crafted over the last few hours. Here we are with a fundamental issue of citizens’ right to know, and the majority leader of this Chamber has decided to bypass any ordinary consideration to jam this through on behalf of Monsanto.

What is at stake here? What is citizens’ right to know about? It is about genetically modified or genetically engineered ingredients that are in their food. Across the country 90 percent of Americans want to have some indication of what is in their food and whether there are GE ingredients. They feel this is relevant to what they would like to buy. Even if they don’t personally look it up when they buy a product, they feel citizens should have a right to know. I rounded it off and said 90 percent, but it is actually 89 percent. The survey took place last fall. I believe it took place in November of 2015. This fundamental notion about the right to know what is in your food transcends every ideology in our country.

The Presidential primary season is going on right now, and we are seeing

a huge range of ideologies from the left to the right on display, but when we talk to citizens about this right to know, it doesn’t matter if they are Democrats, Independents, Republicans, rightwing Republicans or leftwing Democrats, they all come out essentially the same. Let’s break it down by each party. Democrats are at 9 to 1, or 92 percent; Republicans are at 84 percent, which rounds out to about 8½ Republicans to 1 Republican. It is a huge ratio. Independents are 9 to 1, or 89 percent. When asked if they feel strongly about this, they say, yes, they do feel strongly about this. That just goes to the fundamental notion that here in America citizens believe they have the right to make up their own minds and not have the overreach of the Federal Government telling them what to believe or the government saying: You can’t have the information you want in order to make your decision as a consumer. Citizens resent that. Citizens get angry about that. Yet right now the majority party in this Chamber is trying to push through just such a repression of a citizen’s right to know.

This has been triggered by a law in Vermont. Citizens in Vermont voted and decided they want to know if their food has GE, genetically engineered, ingredients, and that law goes into effect on July 1 of this year. Our big food industry—Monsanto and friends—said: No, we can’t let the citizens of Vermont have the information they want. We must pass a Federal law to stop them. By the way, we need to stop every other State in the United States of America and every other subdivision of any State in the United States of America from providing this information, which 9 out of 10 Americans want to have listed on their food.

We are all acquainted with labels on food. That is not something new. Some citizens look at it to determine how many calories are in the food. Others look at what vitamins may be in the food or if it meets the daily recommended dose of vitamins. Some go to see if it has a form of cornstarch, corn sugar, or high fructose corn syrup that maybe they like or don’t like.

We also have labeling laws about other things consumers care about on their food. If you sell fish in a grocery store in America, you have to tell the consumer whether that fish has been caught in the wild or whether it has been raised on a farm. Why? Because citizens wanted that information. They considered that relevant to their decision about their purchase of foods for themselves and their families.

Let’s consider the fact that here in America if you put juice in a store, you have to say whether it is made from concentrate or whether it is fresh. Why? Because consumers thought that was relevant to how they would like to exercise their judgment. Well, 9 out of 10 Americans say they want the information on whether there are GE ingredients, but now we have this bill on the floor—this Monsanto DARK Act addition 2.0—that says, no, we are going to